

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JAMES R. RECKER, II

)

Plaintiff,

)

Vs.

)

ALLIED INTERSTATE, INC.

)

Defendant.

) CAUSE _____
1 : 10 -cv- 10292 SEB -DML

FEB 2 2011
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION

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SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

PLAINTIFF'S COMPLAINT FOR DAMAGES

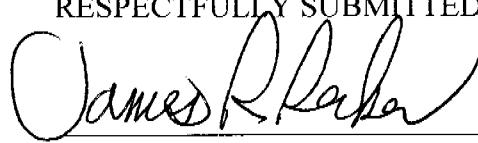
Comes now the Plaintiff, James R. Recker, II, by counsel, and for his Complaint for Damages against the Defendant, Allied Interstate, Inc. and in support of same, states and alleges as follows:

1. This action is authorized and brought pursuant to *15 U.S.C.A. 1692, Title VIII of The Consumer Protection Act*, known as the *Fair Debt Collection Practices Act (FDCPA)*, to address a violation of Plaintiff's rights thereof;
2. Plaintiff, James R. Recker, II is an adult, United States citizen residing at 7146 Caversham Place, in the City of Indianapolis, County of Marion, State of Indiana which is located in the Southern District of Indiana;
3. Plaintiff, James R. Recker, II is a debtor within the meaning of that term as contemplated by the *Fair Debt Collection Practices Act (FDCPA)*;

4. Defendant, Allied Interstate, Inc., is a foreign for-profit corporation, whose current status with the Indiana Secretary of State is “Revoked,” and is a third-party debt collector covered by the *Fair Debt Collection Practices Act*;
5. On or about November 12, 2010, Defendant, Allied Interstate, Inc. placed a telephonic collection call (initial communication), attempting to collect a debt from Plaintiff on behalf of the PNC National Bank (formerly National City Bank) for collection of an alleged consumer debt for a consumer checking account;
6. That such a debt is subject to provisions of the *FDCPA*;
7. That Defendant, Allied Interstate, Inc. did not within ambit of the period prescribed by the FDCPA, provide in writing the advisement of Plaintiff’s rights under the Act;
8. That failure to provide the advisement in writing is violative of *FDCPA*;
9. Defendant, Allied Interstate, Inc., continues to make telephone calls to Plaintiff in an attempt to collect the alleged debt having made additional calls on November 26, 2010 and November 29, 2010;
10. As a result of the unlawful collection practices of the Allied Interstate, Inc., Plaintiff’s rights under *15 U.S.C.A. 1692*, have been violated and Plaintiff has been damaged thereby.

WHEREFORE, Plaintiff prays that damages be awarded to the Plaintiff and against the Defendant, pursuant to the applicable provisions of the *Fair Debt Collection Practices Act*, for costs, and for all other relief just and appropriate in the premises.

RESPECTFULLY SUBMITTED,



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